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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	2:12-CR-440-RCJ-(GWF)
)	
CLARENCE ADAMS,)	
)	
Defendant.)	

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on November 26, 2014, defendant CLARENCE ADAMS pled guilty to Count One of a Three-Count Indictment charging him with Conspiracy to Conduct or Participate in an Enterprise Engaged in a Pattern of Racketeering Activity in violation of Title 18, United States Code, Sections 1029(a), 1343, 1344, 1952(a)(1) and (a)(3), and 1962(c) and (d). Indictment, ECF No. 1; Plea Agreement, ECF No. 221; Change of Plea, ECF No. ____.

This Court finds defendant CLARENCE ADAMS agreed to the forfeiture of the property set forth in the Plea Agreement, the Bill of Particulars, and the Forfeiture Allegation of the Indictment. Indictment, ECF No. 1; Bill of Particulars, ECF No. 92; Plea Agreement, ECF No. 221; Change of Plea, ECF No. ____.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Bill of Particulars and the Forfeiture Allegation of the Indictment and the offense to which defendant CLARENCE ADAMS pled guilty.

...

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
2 1963(a)(1), (a)(2), (a)(3), and (m); Title 18, United States Code, Section 981(a)(1)(C) and Title 28,
3 United States Code, Section 2461(c); and Title 21, United States Code, Section 853(p):

- 4 1. Twenty-five thousand eight hundred seventy-three dollars and ten cents
5 (\$25,873.10) in United States Currency;
- 6 2. Seven thousand dollars (\$7,000.00) in United States Currency;
- 7 3. One (1) stainless steel Rolex Oyster Perpetual Date Submariner, black dial and
8 bezel, 40mm, Movement #31867604, Model #16610 T, Serial Z840628, 134 grams;
- 9 4. One (1) 18k yellow gold IWC Schaffhausen chronograph automatic wristwatch
10 with leather, stamped on back 2684354 INTERNATIONAL WATCH CO., two sub
11 dials, 41 mm case, 104.6 grams;
- 12 5. One (1) 18k yellow gold Rolex Oyster Perpetual Superlative Chronometer
13 Cosmograph Daytona wristwatch and band, Serial #K258882, Model #116528,
14 Band #78498, movement #C 0255271, white dial with three white sub dials having
15 gold bezels, 39mm case, 179.3 grams;
- 16 6. One (1) 18k yellow gold Cartier Pasha Chronograph date wristwatch with leather
17 band with 18k fold-over hidden clasp, Case #319453MG, presentation back,
18 38.4mm case, white dial with three sub dials and date, 108.8 grams;
- 19 7. One (1) stainless steel Girard-Perregaux Ferrari Chronograph wristwatch with
20 leather band, stamped on back with Girard-Perregaux, Ferrari, AN 853 Ref 8020,
21 Manufacture specialement pour FERRARI, black dial with prancing horse, three
22 black sub dials and a date window, luminous hour markers and hands, 38mm case,
23 72.8 grams; and
- 24 8. Any and all ownership interest that defendant may hold in CLS Nevada, LLC, and
25 any licenses, certificates or medallions held or used by CLS or any affiliated
26 persons, agents or entities

1 (all of which constitutes "property").

2 As part of the United States' plea agreement with co-defendant Charles Horky, the United
3 States has agreed to compromise, settle and waive its demand for a monetary judgment in the sum of
4 five million two hundred thousand dollars (\$5,200,000.00) if Charles Horky pays seven hundred fifty
5 thousand dollars (\$750,000.00) in United States Currency in the form of a cashier's check payable to
6 the United States Marshals Service and delivered to the Federal Bureau of Investigation prior to his
7 sentencing hearing. If Charles Horky fails to forfeit, tender, and pay \$750,000 prior to his sentencing
8 hearing, an in personam criminal forfeiture money judgment of \$5,200,000 will be entered against the
9 defendants.

10 This Court finds the United States of America is now entitled to, and should, reduce the
11 aforementioned property to the possession of the United States of America.

12 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
13 United States of America should seize the aforementioned property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
15 CLARENCE ADAMS in the aforementioned property is forfeited and is vested in the United States of
16 America and shall be safely held by the United States of America until further order of the Court.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
18 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
19 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
20 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
21 name and contact information for the government attorney to be served with the petition, pursuant to
22 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
24 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
25 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
26 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and

1 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
2 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
3 petition and the relief sought.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
5 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
6 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
7 after the first day of the publication on the official internet government forfeiture site,
8 www.forfeiture.gov.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
10 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
11 following address at the time of filing:

12 Daniel D. Hollingsworth
13 Assistant United States Attorney
14 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
16 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
17 following publication of notice of seizure and intent to administratively forfeit the above-described
18 property.

19 DATED this 26th day of Nov, 2014.

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22 
23 UNITED STATES DISTRICT JUDGE
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